

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARTHA BERNDT, et al.,

Plaintiffs,

v.

CALIFORNIA DEPARTMENT OF
CORRECTIONS, et al.,

Defendants.

Case No. 03-cv-3174-PJH

**ORDER RE TELEPHONIC STATUS
CONFERENCE**

On July 10, 2015, at the request of the parties in the above-captioned case, the court held a telephonic status conference. Plaintiffs requested that the pretrial and trial schedule be modified, in light of the fact that five of the seven plaintiffs have reached settlements in principle. Specifically, plaintiffs requested the following: (1) a continuance of the pretrial conference, from August 17, 2015 to August 31, 2015; (2) a continuance of the trial start date, from September 14, 2015 to September 28, 2015; and (3) a total of four weeks for trial. Defendants did not object to the continuance of the pretrial conference and the trial start date, but opposed the request for four weeks of trial. Defendants argued that the court had allotted seven weeks for trial when the case involved seven plaintiffs, and thus argued that only two weeks should be allotted for the remaining two plaintiffs.

As stated at the conference, the request to continue the pretrial conference and the trial start date is denied, as those dates have been set since October 20, 2014, and the court is unavailable on the requested pretrial conference date. Thus, the pretrial conference shall remain as scheduled on August 17, 2015, and the trial start date shall

1 remain as scheduled on September 14, 2015. See Dkt. 752.

2 As to the trial length, the court will allot three weeks for trial, but will exclude any
3 time spent on jury selection, closing arguments, jury instructions, and deliberations.

4 Thus, in effect, the parties will have approximately three-and-one-half weeks for trial. As
5 stated in the pretrial order, the court's trial schedule is 8:30 a.m. to 1:30 p.m., with two
6 fifteen-minute breaks, on Monday, Tuesday, Thursday, and Friday. See Dkt. 752.

7 **IT IS SO ORDERED.**

8 Dated: July 10, 2015



PHYLLIS J. HAMILTON
United States District Judge